

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 165

January 23, 2023

SUMMARY OF BILL: Establishes that a person who utilizes a dog guide or a trainer working with a dog guide in training is subject to the same liability for damages caused by the dog guide as would be applied to a person whose pet causes such damage. Specifies that a place of public accommodation is not required to provide care, food, or a special location for a dog guide or dog guide in training. Eliminates a Class C misdemeanor offense for a violation of the various regulations governing dog guides in public accommodations. Expands the penalty for the offense of misrepresentation of a service animal to include 100 hours of community service.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Establishing that the person responsible for a dog guide in a public accommodation is liable for damages is not expected to create a significant fiscal impact to state or local government as it is assumed that most events resulting in such damage occur on private property.
- It is possible that the clarity regarding damages liability could help a public entity such as an institute of public education recoup expenditures related to any such damage; however, the timing and extent of any potential recovered damages is unknowable and otherwise assumed to be not significant.
- On average, no time of incarceration is served for a Class C misdemeanor conviction; therefore, eliminating this penalty for a violation of Tenn. Code Ann. § 62-7-112 will not result in a significant decrease in local expenditures related to incarceration.
- Any fiscal impact related to community service requirements will be borne by private parties.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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